

FILED IN CHAMBERS
U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JUN 10 2016

James N. Hatten, Clerk
AmCarter
Deputy Clerk

UNITED STATES OF AMERICA :
: CRIMINAL ACTION FILE NO.
v. : 1:10-CR-160-ODE-JKL
:
MARK JOSHUA RUARK :

ORDER

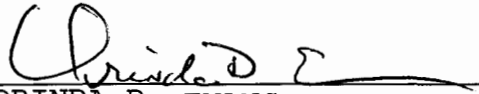
This criminal case is before the Court on the Amended¹ Non-Final Report and Recommendation of United States Magistrate Judge John K. Larkins III filed May 13, 2016 [Doc. 177] ("Amended R&R"). No objections have been filed.

In the Amended R&R, Judge Larkins recommends that Defendant Ruark be declared not competent to stand trial and not restorable and that the Attorney General be directed to effect a formal certification regarding Mr. Ruark's dangerousness under 18 U.S.C. § 4246(a).

The Court having read and considered the Amended R&R and noting the absence of any objections, it is hereby adopted as the opinion and order of the Court. For the reasons set forth in the Amended R&R, Defendant Ruark is declared NOT COMPETENT TO STAND TRIAL AND NOT RESTORABLE. In addition, the Attorney General is DIRECTED to ensure that a formal certification regarding Mr. Ruark's dangerousness under 18 U.S.C. § 4246(a) be made from the director of the U.S. Medical Center for Federal Prisoners within 45 days of the director's receipt of this Order.

¹The Amended R&R corrects a typographical error in the Non-Final Report and Recommendation dated April 15, 2016 [Doc. 172]. Accordingly the April 15 R&R [Doc. 172] is DISMISSED AS MOOT.

SO ORDERED, this 9 day of June, 2016.


ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE